

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ELVIN MERCADO,)	
)	
Petitioner,)	
v.)	Civil No. 04-11653-PBS
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
)	

ASSENTED-TO MOTION FOR WAIVER OF TRANSCRIPT FEE

Petitioner Elvin Mercado (“Petitioner”), by his undersigned counsel, hereby moves this Court to obtain a fee waiver for the production of a transcript in the above-captioned case. In support of his Motion, Petitioner states as follows:

1. Petitioner’s counsel has taken on this case *pro bono*. As a member of the CJA panel, Mr. Braceras was appointed by the Court to be Petitioner’s counsel in this matter.
2. The transcript in question is from a hearing on Petitioner’s Motion to Vacate and his subsequent sentencing on February 15, 2007 (the “Transcript”). Petitioner’s counsel has completed a CJA-24 Authorization and Voucher for Payment of Transcript Form (“Transcript Form”), attached hereto as Exhibit A, requesting that Petitioner obtain the transcript services at the expense of the United States pursuant to the Criminal Justice Act.
3. Counsel have conferred, and the government assents to this Motion.

WHEREFORE, Petitioner respectfully requests that the Court grant this Motion issuing a fee waiver for the production of the Transcript.

Dated: May 17, 2007

Respectfully submitted,

ELVIN MERCADO

By his attorney,

/s/ Roberto M. Braceras
Roberto M. Braceras (BBO # 566816)
GOODWIN PROCTER LLP
Exchange Place
Boston, MA 02109-2881
(617) 570-1000

SO ORDERED:

U.S.D.J.

**LOCAL RULE 7.1(A)(2) CERTIFICATION
AND CERTIFICATE OF SERVICE**

I, Roberto M. Braceras, hereby certify that pursuant to Local Rule 7.1(A)(2), I conferred with counsel for the government and report that opposing counsel assents to the relief sought herein.

I further certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on May 17, 2007.

/s/ Roberto M. Braceras